

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:21-cr-5-IM(4)

UNITED STATES OF AMERICA)

v.)

CODY ALAN HEBERT)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about March 12, 2020, in the Eastern District of North Carolina, the defendant, CODY ALAN HEBERT, did knowingly and intentionally distribute five (5) grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

On or about March 12, 2020, in the Eastern District of North Carolina, the defendant, CODY ALAN HEBERT, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, as alleged in Count One of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE

On or about March 12, 2020, in the Eastern District of North Carolina, at a time separate and apart from Count One, the defendant, CODY ALAN HEBERT, did

knowingly and intentionally possess with the intent to distribute fifty (50) grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

On or about March 12, 2020, in the Eastern District of North Carolina, the defendant, CODY ALAN HEBERT, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, as alleged in Count Three of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

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FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any felony violation of the Controlled Substances Act charged herein, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the said offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offense.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

The forfeitable property includes, but is not limited to, the following:

- a) Approximately \$8,211 in United States Currency seized on March 12, 2020 from the vehicle driven by CODY ALAN HEBERT.
- b) A Glock pistol, model 17, bearing serial number BB434US, seized on March 12, 2020 from the vehicle driven by CODY ALAN HEBERT, and any and all associated ammunition.

- c) A Mossberg Model 5000 12-gauge shotgun, bearing serial number U677547, seized on March 12, 2020 from the vehicle driven by CODY ALAN HEBERT, and any and all associated ammunition.
- d) An Ithaca Model 27 12-gauge shotgun, bearing serial number 371710195, seized on March 12, 2020 from the vehicle driven by CODY ALAN HEBERT, and any and all associated ammunition.

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL

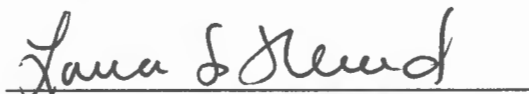
REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON

DATE: 1-6-2021

ROBERT J. HIGDON, JR.
United States Attorney



BY: LAURA S. HOWARD
Assistant United States Attorney
Criminal Division